

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

POWER INTEGRATIONS, INC.,

No. C 09-5235 MMC

Plaintiff,

**ORDER DENYING PLAINTIFFS' MOTION
TO SEVER AND TRANSFER**

v.

FAIRCHILD SEMICONDUCTOR
INTERNATIONAL, INC., et al.,

Defendants.

Before the Court is plaintiff Power Integrations, Inc.'s ("Power Integrations") "Motion to Sever Defendants' Claims Regarding the '700 Patent," filed November 16, 2012. Defendants Fairchild Semiconductor International, Inc. and Fairchild Semiconductor Corporation (collectively, "Fairchild") and System General Corporation ("System General") have filed opposition, to which plaintiff has replied. The matter came on regularly for hearing December 21, 2012. Howard G. Pollack and Michael R. Headley of Fish & Richardson P.C. appeared on behalf of Power Integrations. Terrence P. McMahon of McDermott Will & Emory LLP appeared on behalf of Fairchild and System General. Having read and considered the parties' respective written submissions and considered the arguments of counsel, the Court, for the reasons stated on the record at the hearing, rules as follows.


Having weighed the factors ordinarily considered relevant to the issues of severance, see S.E.C. v. Leslie, No. C 07-3444, 2010 WL 2991038 *4 (N.D. Cal. July 29,

2010), and transfer, see Jones v. GNC Franchising, Inc., 211 F.3d 495 (9th Cir. 2000), and any other factors identified by the parties as bearing on those issues, the Court finds Power Integrations has not shown that System General's claims based on the '700 patent, if heard in the Northern District of California as opposed to the District of Delaware, will result in any prejudice to Power Integrations or any inconvenience to any party or witness. Further, although Power Integrations asserts the '972, '700, and '461 patents concern closely related technology, Power Integrations has not made a sufficient showing as to how litigation of any issue pertaining to claim construction, infringement, or invalidity will, in the absence of transfer, be substantially duplicative or result in conflicting determinations.

Accordingly, the motion is hereby DENIED.

IT IS SO ORDERED.

Dated: December 21, 2012


MAXINE M. CHESNEY
United States District Judge